

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton

v. : Crim. No. 09-246 (SDW)

JAMES VANCE
a/k/a Samuel Wright : PROTECTIVE ORDER

This matter having come before the Court on the application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Randall H. Cook and David E. Malagold, Assistant U.S. Attorneys), for an order restricting distribution and use of a victim's medical records provided to the defendant as discovery in the above-captioned matter, and the defendant (by Paul Condon, defense counsel) having consented to entry of the order; and the Court having authority pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure to enter a protective order regulating discovery; and, pursuant to Federal Rule of Criminal Procedure 16(a)(1)(E), the Government is authorized to provide a copy of the medical records to defendant; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that a protective order limiting defendant's distribution and use of the victim's medical records should be entered for the following reasons:

1. The victim's medical records reflect sensitive, personal information that is protected from unauthorized disclosure by statute;

2. Distribution and use of such information for purposes not reasonably related to trial of the above-captioned matter could result in injury to the privacy interests of the victim;

3. Defendant has consented to the aforementioned order; and

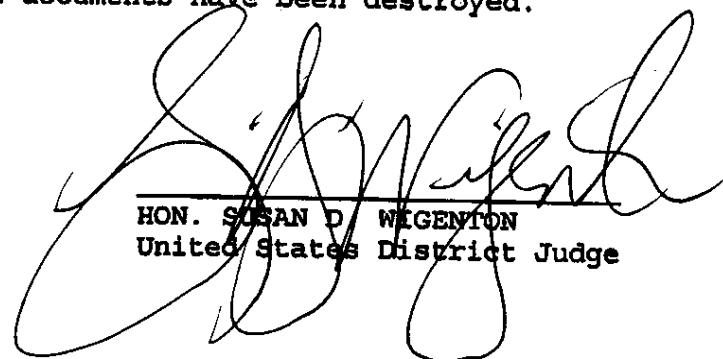
4. Pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure, the Court has authority to enter the aforementioned order.

WHEREFORE, on this 1ST day of February, 2010,

IT IS ORDERED that defendant's use, reproduction, and distribution of the victim's medical records and the information they reflect shall be limited only to purposes reasonably related to trial of the above-captioned matter; and

IT IS FURTHER ORDERED that upon completion of trial of the above-captioned matter, defense counsel shall either return all copies of the victim's medical records and other documents containing the information the medical records reflect to counsel for the Government or else certify to counsel for the Government

that all such records and documents have been destroyed.



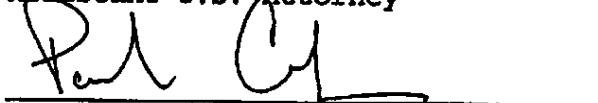
HON. SUSAN D. WAGENTON
United States District Judge

Form and entry
consented to:



RH Cook

Randall H. Cook
Assistant U.S. Attorney



Paul Condon

Paul Condon, Esq.
Counsel for defendant James Vance